

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

THE BARTER HOUSE, INC., and BRIAN DIMARCO,

Plaintiffs,

-v-

INFINITY SPIRITS LCC, *a limited liability company*, DON  
GOOD TEQUILA COMPANY, LLC, *a limited liability  
company*, EUROPEAN INFINITY GROUP INC., *a  
corporation*, and BRIAN HOPKINS, *an individual*,

Defendants.

17 Civ. 9276 (PAE) (BCM)

ORDER

PAUL A. ENGELMAYER, District Judge:

The Court has been notified that this case has been selected as an alternate case for the District's first quarter 2021 jury trial calendar. In the event that cases with higher priority for jury trials beginning the week of March 8, 2021 do not proceed to trial, a jury trial in this case will begin that week.

The Court therefore directs the parties and counsel—unless otherwise notified by the Court—to maintain their availability to participate in a jury trial in this District during the weeks of March 8 and 15, 2021. Counsel are specifically reminded to keep informed of then-applicable public health standards for traveling to New York City and for entry into the courthouses in this District, and to assure that counsel, the parties, and witnesses are compliant with these so to enable their participation at trial. The Court specifically reminds defendant Hopkins to be mindful of public health requirements applicable to travel from Canada, including any post-travel quarantine requirements. The Court is mindful that, under present public health advisories, advance notice that the trial in this case is in fact proceeding will be necessary to enable trial participants to travel to New York and otherwise maintain their ability to attend the

trial. The Court will keep counsel abreast of the status of trial. Counsel are at liberty to inquire of the Court during the first quarter of 2021 as to the status of cases with higher priority than this.

The Court reminds counsel that, in the event it is notified that all parties consent to a bench trial in lieu of a jury trial, the Court is prepared to schedule a bench trial, either remote or in person, and has substantial availability during the first quarter.

The Court again reminds defendant Hopkins, who is proceeding *pro se*, that it is necessary to obtain ECF credentials. The Court will email a copy of this order to Mr. Hopkins at the address that he has previously furnished and from which he has sent communications to the Court. Mr. Hopkins is advised that failure to obtain ECF credentials may result in his not receiving access to important filings in this case, including updates as to the trial schedule.

SO ORDERED.



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PAUL A. ENGELMAYER  
United States District Judge

Dated: December 9, 2020  
New York, New York